



Department of Energy

Washington, DC 20585

March 22, 2013

Mr. Michael Morisy
Muck Rock News
DEPT MR 3333
P.O. Box 55819
Boston, MA 02205-5819

Re: HQ-2013-00709-F

Dear Mr. Morisy:

This is an interim response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. You asked for copies of all contracts with Booz Allen Hamilton over the past 5 years, and any final reports generated and delivered by Booz Allen Hamilton to DOE over the past 5 years.

In your letter, you asked for fee waiver to process the request. I have reviewed the information that you have provided for the fee waiver and have determined that you have not adequately addressed the criteria established at 10 CFR 1004.9(a)(8), for consideration of fee waivers or reduction of fees. You stated that this information is in the public interest, and will be available to the general public free of charge as part of the public information services on the MuckRock.com website. You also stated that this information is "processed by a representative of the news/press and is made in the process of news gathering and not for commercial usage."

While the information itself pertains to an operation or activity of the government and you have stated your intent and ability to disseminate to the public, you have not expressed the informative value of the information to be disclosed: Whether the disclosure is "likely to contribute significantly to public understanding" of government operations or activities. You have not articulated what the public interest is in this information, or how the public will benefit from its disclosure. For this reason, I am denying your request for a fee waiver.

For purposes of assessment of any fees, you have been categorized under the DOE regulation at Title 10, Code of Federal Regulations, Section 1004.9(b)(3), as a "news media" requester. In this category, you will be charged duplication fees only and will be provided 100 pages at no cost. Fees are estimated to be approximately \$50.00 to process your request.

Pursuant to 10 CFR 1004.4(e), please provide an assurance that you agree to pay processing fees. You should provide the assurance to Ms. Diana P. Ngo by April 13, 2013. If she does not hear from you or receive the information by that date, no further action will be taken about the request.



Pursuant to 10 CFR 1004.8, you may challenge the determination to deny your request for a fee waiver or reduction by submitting a written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination.

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain all elements required by 10 CFR 1004.8, including a copy of this letter. Judicial review will thereafter be available in the Federal District Court either (1) in the district where you reside; (2) in the district where you have your principal place of business; (3) in the district where the DOE records are located; or (4) in the District of Columbia.

Please refer to the above referenced number in any communications with the DOE about this matter. If you have questions about this letter, you may contact Ms. Ngo in this office at MA 90/Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, or on (202) 586-1201.

I appreciate the opportunity to assist you with this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alex Morris", written in black ink.

Alexander C. Morris

FOIA Officer

Office of Information Resources